

1 Richard Saddler, *Pro Se* Plaintiff  
2 295 Brightfield Drive  
3 Ballwin, MO 63021  
4 (310) 428 - 2110  
5

RECEIVED

FEB 20 2020

6 U.S. District Court  
7 Eastern District of MO

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

8 RICHARD SADDLER,

Cause No. 4:20-cv-105

9 Plaintiff,

10 Missouri State Court Cause No. 1  
11 9SL-CC05679  
12 v.  
13 CARVANA, LLC,  
14 Defendant.

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15 PLAINTIFF'S AFFIDAVIT IN SUPPORT OF HIS  
16 MEMORANDUM IN OPPSOITION TO REMOVAL

17 STATE OF MISSOURI )  
18 ) ss.  
19 COUNTY OF ST. LOUIS )

20 I, Richard Saddler, under penalty of perjury state:

21 1. I am over twenty-one years of age and am competent to testify to the matters set forth  
22 herein.

23 2. I know the following through personal knowledge or experience.

24 3. I am submitting this Affidavit in support of my memorandum in opposition to defendant  
25 Carvana's petition to remove state case (Cause No. 4:20-cv-105) in the above-captioned matter.

26 4. I initially filed this action in the Circuit Court for St. Louis County, Missouri, on May 13,  
27 2019.

1       5. After Carvana removed the prior matter to federal court I brought a Motion to Remand  
2       arguing it was premature to determine my damages until I had an opportunity to conduct  
3       discovery and therefore I was unable to stipulate to an amount in controversy. At the remand  
4       hearing I stated my demand for \$500,000 was not predicated upon any claim(s) but rather just a  
5       probing offer to feel out defendant.

6       6. This Court granted my Motion to Remand and I thereafter dismissed the state court action  
7       on August 5, 2019.

8       7. On December 23, 2019, I filed the current Petition in the Circuit Court for St. Louis  
9       County, Missouri, Cause No. 19SL-CCCC05679.

10      8. After filing this action, and receiving Carvana's memorandum supporting their Motion to  
11       Compel Arbitration, I realized I was going to have to amend my pleadings striking my statutory  
12       causes of action and pleading new claims. I put Carvana on notice that I would be amending my  
13       pleadings. *See Exhibit A attached hereto and incorporated herewith by reference.*

14      9. After doing further research it has come to my attention a pro se litigant is not entitled to  
15       attorney fees in Missouri and as such I will also be striking any claim for attorney fees in my  
16       amended pleadings.

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24       *(Remainder of Page Intentionally Left Blank)*  
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1 Sworn to by Richard Saddler under penalty of perjury under the laws of the State of Missouri that  
2 the foregoing is true and correct and that this affidavit is executed on Feb. 20, 2020 in St. Louis  
3 County in the state of Missouri.

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7 Richard Saddler  
8 Pro Se Plaintiff  
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10 State of Missouri  
11 County and City of St. Louis

12 On this \_\_\_\_\_ day of \_\_\_\_\_ in the year 2020 before me \_\_\_\_\_, a Notary  
13 Public in and for said state, personally appeared Richard Saddler, known to be the person who  
14 executed the within affidavit, and who acknowledged to me that he executed the same for the  
15 purpose therein stated.

16 \_\_\_\_\_  
17 Notary Public  
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**CERTIFICATE OF SERVICE**

On this 20th day of February, 2020, a copy of the attached PLAINTIFF'S AFFIDAVIT IN SUPPORT OF HIS MEMORANDUM IN OPPSOITION TO REMOVAL and PLAINTIFF'S MEMORANDUM IN OPPOSITION TO CARVANA'S NOTICE OF REMOVAL, were hand deliver to the US Clerk of Court and Mailed to Defendant Attorney's: Bill Brasher and Allison Lee to the following addresses respectfully:

Boyle Brasher  
1010 Market Street, St. Louis, MO 63101

and

US Clerk of Court  
111 South 10<sup>th</sup> st  
St. Louis, MO 63102



## Amending my Petition

From: Richard Saddler (richardsaddler@yahoo.com)  
To: wbrasher@boylebrasher.com; aleeb@boylebrasher.com  
Date: Wednesday, January 22, 2020, 08:07 AM CST

For the purposes of keeping an open line of communication. I am going to be amending my petition and adding statute 301.213 of the Missouri rules as a another Statute in which Carvana has violated. I don't believe I'm going to have this done prior to our hearing date on Monday but I will attempt to. The reason for this disclosure to you is so that you're not wasting legal efforts without having all the facts in front of you. Thank you and again if you need to reach out to me you know how to do so.

Sent from Yahoo Mail on Android

On Tue, Jan 21, 2020 at 8:20 AM, Richard Saddler  
<richardsaddler@yahoo.com> wrote:

Bill I've received confirmation that you have received my Notice of Hearing, Plaintiffs TRO, and Memorandum in Opposition to Defendant Carvana's Motion to Compel Arbitration and Affidavit and all Exhibits to all fillings listed here in. You received all mentioned documents and supporting documentation yesterday at approximately 2 p.m., if you have any questions please don't hesitate to reach out to me.

Richard T. Saddler  
richardsaddler@yahoo.com